

REMARKS

Reconsideration and allowance in view of the foregoing amendments and the following remarks are respectfully requested.

Applicant amended the Specification to correct obvious typographical and grammatical errors. No new matter has been added.

Claims 1-18 and 23-40 are pending in the Application. Applicant canceled claims 19, 20, 21 and 22 and added new claims 23-40 with this Amendment.

The Examiner's rejection of claims 21 and 22 under the doctrine of obviousness-type double-patenting is now moot since Applicant has canceled claims 21 and 22.

Applicant notes with appreciation the Examiner's indication that claims 12-17 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Therefore, Applicant has rewritten claim 12 in independent form. Applicant has further amended claim 12 to remove all means-plus-function limitations and to remove the element "means for optically integrating," "a square-shaped aperture," and "optical means for combining." Applicant respectfully submits that claim 12, and claims 13-17 dependent therefrom, remain allowable.

The Examiner rejected claims 1-11 and 18-20 under 35 U.S.C. § 102(b) as being anticipated by Ogawa (U.S. Patent No. 5,627,625). The rejection of claims 19 and 20 is now moot since Applicant has canceled those claims. Applicant respectfully traverses the remainder of this rejection for at least the following reasons.

Applicant amended claim 1 to remove the elements "means for optically integrating," "a square-shaped aperture," and "optical means for combining." Applicant has further amended claim 1 to replace the means-plus-function limitation "means for shaping the light" by a broader and clearer structural definition. Originally, such a limitation should have been interpreted under 35 U.S.C. § 112, paragraph 6, but now is intended to cover the broad concept of the invention rather than only the structures specifically shown in the specification, and equivalents thereof. Consequently, this is not a narrowing amendment to overcome the reference. None of the references of record, whether considered individually or combined, teaches or suggests a beam-shaping optical system as recited in claim 1.

In contrast, the beam splitter unit 16 of Ogawa divides the laser beam into four beams B1 to B4 using a cylindrical lens (column 5, lines 43-45; and Figure 2). The four beams B1 through B4 are re-superimposed by a prism unit 17 and the superimposed laser beam is transmitted sequentially through a relay lens 18, a fly's eye lens 19, a relay lens 20, a half-mirror HM, a masking blade 22, a relay lens 23 and a condenser lens 24 to illuminate a mask 25 (column 5, lines 46-52). Consequently, Ogawa neither teaches nor suggests a beam-shaping optical system that has a masking aperture as recited in claim 1. Therefore, Applicant respectfully submits that claims 1-11 and 18 are in condition for allowance and requests that the rejection under 35 U.S.C. § 102(b) be withdrawn.

Applicant has addressed all of the Examiner's rejections and respectfully submits that the Application is now in condition for allowance. Applicant's representative encourages the Examiner to contact him at the number below if there remain any issues that may be resolved by a telephone or personal interview.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,
PILLSBURY WINTHROP LLP

HENRY J. DALEY
Reg. No. 42459
Tel. No. (202) 775-9832
Fax No. 703 905-2500

Date: October 9, 2003
P.O. Box 10500
McLean, VA 22102
(703) 905-2000